Pat Quinn, Governor Marc Miller, Director

One Natural Resources Way Springfield, Illinois 62702-1271 http://dnr.state.il.us

June 29, 2011

Mr. Rick Klein SIU-E Campus Box 1039 Edwardsville, IL 62026

Mr. Timothy Verheyen Oates Associates 100 Lanter Court, Suite 1 Collinsville, IL 62234

Re: Simmons-Cooper Complex Parking Lot – SIU-Edwardsville Campus Endangered Species Consultation Program

**Project Number(s): 1112638** 

**County: Madison** 

Dear Mr. Klein and Mr. Verheyen:

The Department received a submission from Oates Associates, via the Department's Ecological Compliance Assessment Tool (EcoCAT) website, on behalf of Southern Illinois University-Edwardsville, regarding this project in Section 17, Township 4 North, Range 8 East for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project involves the reconstruction of an existing aggregate parking lot with hot-mix asphalt, grading, and collateral work at the Simmons-Cooper Complex located northwest of the main campus.

The project is located north/northeast of several records of the State-listed threatened Illinois Chorus Frog, *Pseudacris streckeri illinoensis*, and southwest of the Bohm Woods Illinois Natural Area Inventory Site and Nature Preserve, the E. Dora Bohm Memorial Nature Preserve, and the William and Emma Bohm Memorial Nature Preserve.

The Department has completed its review of the project and determined that the action may have an adverse impact on Illinois Chorus Frogs, since this species inhabits areas close to the parcel, because it is mobile, travelling above-ground to reach ephemeral ponds to breed (from February to April) and it migrates to underground burrows, located in sandy soils, the rest of the year. Commencing around early June, the newly transformed froglets move back to their overwintering sand habitats. To minimize potential impacts, the Department recommends the following measures be implemented by the applicant and incorporated in the University's project authorization.

- 1. All crews, and on-site personnel, should be educated and informed about this species before work begins. Photos of adult Illinois Chorus Frogs, which are only 1-2" big, should be distributed and displayed, and a site management plan for responding to potential encounters, should be discussed at the pre-construction site meeting.
- 2. If this species is encountered on site, crews should be instructed to immediately stop working and to contact the Department's Heritage Biologist (Mark Phipps, 618/462-1181, ext. 13) keeping in mind it is a criminal act to handle a listed species. Personnel on site should watch the species until the proper authority arrives to handle the situation. Crews should mark where they first saw the species, and the last spot seen, if frog(s) go underground.
- 3. Exclusionary, silt fencing should surround the project site between early February and the first of May to restrict potential frogs from entering construction areas. Further, both sides of the fence should be inspected each morning to determine whether any frogs exist within the project footprint, or on the outside of footprint.
- 4. Work should be done between May and January while this species is underground.
- 5. All disking or digging activities should be conducted in the fall. Digging could be detrimental to this fossorial frog species if done during the spring or early to mid summer.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), Southern Illinois University - Edwardsville must notify the Department of its decision regarding these recommendations, whether they will:

- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this consultation review.

Cordially,

Kathi Davis

Kathi Davis

Division of Ecosystems and Environment Impact Assessment Section Office of Realty & Environmental Planning 217-785-5500

enclosure

cc: Mark Phipps, IDNR/Region IV/Natural Heritage

Kent Boyles, IDNR/Region IV/Wildlife John Tucker, Illinois Natural History Survey